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Attorney for Trustee

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MONTANA**

In Re:

**SCHNEIDER, JOHN HENRY**

**Case No. 14-61357-7**

Debtor(s)

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**MOTION FOR EXTENSION OF TIME TO FILE STIPULATION TO COMPROMISE  
AND SETTLE OBJECTION TO FINAL APPLICATION FOR PROFESSIONAL FEES**

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**COME NOW**, Joseph V. Womack, as attorney for the Trustee, and moves the Court to modify and extend the deadlines set forth in the Amended Minutes of Hearing at Docket No. 604 regarding the Final Application for Professional Fees (Attorney) and Costs (“Application”) (Doc#: 592); the Amended Objection to Application for Professional Fees and Costs (“Objection”) filed at Docket No. 585; and the Court’s Order of October 2, 2018, filed at Docket No. 610 as follows:

1. The parties may file a Stipulation to compromise and settle the Objection to the Application on or before October 17, 2018. The stipulation must be signed by Joseph V. Womack and Trent Gardner on behalf of the Applicants and James A. Patten, Fred Paoli, Paul Warren and Jon Moyers as attorneys for Objectors.

2. In the event the Stipulation to compromise and settle the Objection to the Application is not filed by said deadline, Objectors shall have until October 24, 2018, to file any amended objection to the fee application.

3. Responses to any Amended Objection, Attorney Time Records and Supporting Submissions are due by October 31, 2018.

4. Further responses by the Objectors are due by November 14, 2018.

5. The parties shall meet and confer on or before November 21, 2018, and shall file a report of the outcome of the meeting by November 28, 2018, after which the Court will determine if a further evidentiary hearing is required or if the matter be taken under advisement without further hearing.

Parties filed their Stipulation to Compromise and Settle Objection to Final Application for Professional Fees (Attorney) and Costs (Doc#: 592) and Motion for Approval filed at Docket No. 615. Trustee is withdrawing the Stipulation, concurrently, for two reasons: 1) the prayer for relief contains an error regarding the relief requested; and 2) the US Trustee's office has indicated that they object to the stipulation because it improperly appears to take two or three different issues, which should remain separate and stand-alone matters and contemplates using one or two of them to resolve the other.

Trustee has attempted to contact the other parties to the Stipulation regarding these issues but has been unable to reach them. In light of the US Trustee's objection, the Trustee believes that he has no choice but to withdraw the Stipulation and seek additional time from the Court to enter into a new stipulation to resolve the objection when he can confer with the other Parties.

WHEREFORE, Trustee prays the Court enter its order to modify and extend the deadlines set forth in the Amended Minutes of Hearing at Docket No. 604:

- A. The parties may file a Stipulation to compromise and settle the Objection to the Application on or before October 17, 2018. The stipulation must be signed by Joseph V. Womack and Trent Gardner on behalf of the Applicants, and James A. Patten, Fred Paoli, Paul Warren and Jon Moyers as attorneys for Objectors.
- B. In the event the Stipulation to compromise and settle the Objection to the Application is not filed by said deadline, Objectors shall have until October 24, 2018, to file any amended objection to the fee application.
- C. Responses to any Amended Objection, Attorney Time Records and Supporting Submissions are due by October 31, 2018.
- D. Further responses by the Objectors are due by November 14, 2018.
- E. The parties shall meet and confer on or before November 21, 2018, and shall file a report of the outcome of the meeting by November 28, 2018, after which the Court will determine if a further evidentiary hearing is required or if the matter be taken under advisement without further hearing.

**DATED** this 10th day of October, 2018.

**WALLER & WOMACK, P.C.**

By: /s/ Joseph V. Womack  
Joseph V. Womack  
Ch. 7 Bankruptcy Trustee

**CERTIFICATE OF SERVICE**

I, the undersigned, certify under penalty of perjury that on October 10, 2018, or as soon as possible thereafter, a copy of the foregoing was served electronically by the Court's ECF notice to all persons/entities requesting special notice or otherwise entitled to the same and that in addition service by mailing a true and correct copy, first class mail, postage prepaid, was made to the following persons/entities who are not ECF registered users:

**Debtor:**

John Schneider  
543 Camino de Orchidia  
Encinitas, CA 92024

**Interested Parties:**

Attorneys for Objectors (via email only)  
Jon Moyers: jon@jmoyerslaw.com  
Paul Warren: paul@paulwarrenlaw.com  
Fred Paoli: fred@paolibrown.com

Creditor Mailing Matrix

By: /s/ Lynsey Ross  
Lynsey Ross  
Paralegal to Trustee